

Application No.: 09/682,630

RD-29301

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jiang et al.

: Group Art Unit: 1742

Application No. 09/682,630

: Examiner: S.R. Kastler

Filed: October 1, 2001

: Response to Paper No. 20041015

For: **Rhodium, Platinum, Palladium Alloy**

RESPONSE TO FINAL OFFICE ACTION

Assistant Commissioner for Patents
Washington, DC 20231

S I R:

This case has been carefully reviewed in light of the Office Action of 10/18/2204, in which claims 35-51 were rejected under 35 USC 103(a) as being unpatentable over Reinacher et al., U.S. Patent No. 3,622,310; and claims 52-58 were rejected under 35 USC 103(a) as being unpatentable over Reinacher et al. in view of Selman et al., U.S. Patent No. 3,640,705. Reconsideration in light of the following remarks is respectfully requested.

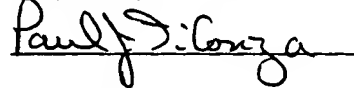
A detailed discussion of the applied references has been undertaken in previous prosecution of this application. Reinacher et al. discuss alloys comprising platinum, 1-49 percent palladium, and 1-49 percent rhodium, along with 0.1-5 percent of a metal such as zirconium, titanium, hafnium, tantalum, aluminum, beryllium, and the like, as dispersion strengthening additions to the alloys. Selman et al. also discuss alloys of platinum group metals with oxide-forming elements to form dispersion-strengthened alloys, and their uses in various applications, including jet engines and rocket motors.

As the Examiner has stated previously, Reinacher et al. do not explicitly disclose the compositions claimed in the present application. Furthermore, Applicants respectfully submit that the alloy compositions recited in independent claims 35, 43, 44, and 51 are not obvious in light of the cited references, in that these alloys possess properties that are unexpected in light of the prior art cited.

Applicants attach a supplemental declaration of co-inventor Dr. Liang Jiang. This declaration provides the required reference of the claimed subject matter to the closest prior art (namely, the Reinacher patent). Applicants respectfully submit that this declaration remedies the shortcomings of the 13 November 2002 declaration submitted in previous prosecution of the present case. The combination of the previous declaration and the present declaration provide the necessary showing of criticality of the claimed range along with the required comparison to the closest prior art. Applicants respectfully submit that the declarations submitted in this response, in combination with the declarations and arguments provided in previous prosecution, overcome the rejections of the pending claims under Reinacher and Reinacher in view of Selman.

In view of the foregoing, which is believed to serve as a complete response to the subject Office Action, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested. If, however, any issues remain unresolved, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,



Paul J. DiConza
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Schenectady, New York
Monday, January 10, 2005

Attachment: Declaration of Liang Jiang